

House File 756

H-1217

1 Amend House File 756 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <DIVISION I

5 ACQUIRING PISTOLS AND REVOLVERS

6 Section 1. Section 724.11A, Code 2021, is amended to read  
7 as follows:

8 **724.11A Recognition.**

9 A valid permit or license issued by another state to any  
10 nonresident of this state shall be considered to be a valid  
11 permit or license to carry weapons issued pursuant to this  
12 chapter, except that such permit or license shall not be  
13 ~~considered to be a substitute for a permit to acquire pistols~~  
14 ~~or revolvers issued pursuant to [section 724.15](#)~~ deemed to  
15 satisfy the requirements of section 724.15.

16 Sec. 2. Section 724.15, Code 2021, is amended by striking  
17 the section and inserting in lieu thereof the following:

18 **724.15 Acquiring pistols or revolvers.**

19 1. In order to acquire a pistol or revolver, an unlicensed  
20 person is required to have a valid permit to acquire or a valid  
21 permit to carry weapons issued in accordance with this chapter  
22 or the person must complete a satisfactory criminal background  
23 check.

24 2. A person shall not acquire a pistol or revolver if the  
25 person is any of the following:

26 a. Under twenty-one years of age except for those persons  
27 included in section 724.22, subsection 4, who acquire a pistol  
28 or revolver when the person's duty so requires.

29 b. Prohibited by section 724.26 or federal law from  
30 possessing, shipping, transporting, or receiving a firearm.

31 c. Prohibited by court order from possessing, shipping,  
32 transporting, or receiving a firearm.

33 d. Ineligible to possess dangerous weapons pursuant to  
34 section 724.4, subsection 2.

35 3. An issuing officer who finds that a person issued a

1 permit to acquire pistols or revolvers under this chapter  
2 has been arrested for a disqualifying offense or who is  
3 the subject of proceedings that could lead to the person's  
4 ineligibility for such permit, may immediately suspend such  
5 permit. An issuing officer proceeding under this subsection  
6 shall immediately notify the permit holder of the suspension  
7 by personal service or certified mail on a form prescribed  
8 and published by the commissioner of public safety and the  
9 suspension shall become effective upon the permit holder's  
10 receipt of such notice. If the suspension is based on an  
11 arrest or a proceeding that does not result in a disqualifying  
12 conviction or finding against the permit holder, the issuing  
13 officer shall immediately reinstate the permit upon receipt  
14 of proof of the matter's final disposition. If the arrest  
15 leads to a disqualifying conviction or the proceedings to a  
16 disqualifying finding, the issuing officer shall revoke the  
17 permit. The issuing officer may also revoke the permit of a  
18 person whom the issuing officer later finds was not qualified  
19 for such a permit at the time of issuance or whom the officer  
20 finds provided materially false information on the permit  
21 application. A person aggrieved by a suspension or revocation  
22 under this subsection may seek review of the decision pursuant  
23 to section 724.21A.

24     Sec. 3. Section 724.16, Code 2021, is amended by striking  
25 the section and inserting in lieu thereof the following:

26     **724.16 Prohibited transfers of firearms.**

27     1. A person shall not transfer a firearm to another  
28 person if the person knows or reasonably should know through  
29 evidence of a background check provided by the purchaser or  
30 transferee that the other person is ineligible to possess  
31 dangerous weapons pursuant to section 724.4, subsection 2, or  
32 is prohibited from receiving or possessing a firearm under  
33 section 724.26 or federal law.

34     2. A person shall not loan or rent a firearm to another  
35 person for temporary use during lawful activities if the

1 person knows or reasonably should know through evidence of a  
2 background check provided by the purchaser or transferee that  
3 the person is ineligible to possess dangerous weapons pursuant  
4 to section 724.4, subsection 2, or is prohibited from receiving  
5 or possessing a firearm under section 724.26 or federal law.

6 3. A person who transfers, loans, or rents a firearm in  
7 violation of this section commits a class "D" felony.

8 Sec. 4. Section 724.27, Code 2021, is amended to read as  
9 follows:

10 **724.27 Offenders' rights restored.**

11 1. The provisions of [section 724.8](#), section 724.15,  
12 subsection ~~1~~ 2, and [section 724.26](#) shall not apply to a person  
13 who is eligible to have the person's civil rights regarding  
14 firearms restored ~~under section 914.7~~ if any of the following  
15 occur:

16 a. The person is pardoned by the President of the United  
17 States or the chief executive of a state for a disqualifying  
18 conviction.

19 b. The person's civil rights have been restored after a  
20 disqualifying conviction, commitment, or adjudication.

21 c. The person's conviction for a disqualifying offense has  
22 been expunged.

23 2. [Subsection 1](#) shall not apply to a person whose pardon,  
24 restoration of civil rights, or expungement of conviction  
25 expressly forbids the person to receive, transport, or possess  
26 firearms or destructive devices and a person not eligible to  
27 have the person's civil rights restored under section 914.7.

28 DIVISION II

29 CARRYING AND POSSESSING WEAPONS — SCHOOL GROUNDS — EMERGENCY  
30 MEDICAL CARE PROVIDERS

31 Sec. 5. Section 232.52, subsection 2, paragraph a,  
32 subparagraph (4), subparagraph division (a), subparagraph  
33 subdivision (viii), Code 2021, is amended to read as follows:

34 (viii) Section 724.4, if the child used the dangerous weapon  
35 in the commission of a crime.

1     Sec. 6. Section 724.2A, Code 2021, is amended to read as  
2 follows:

3     **724.2A Peace officer — defined — reserved peace officer**  
4 **included.**

5     As used in sections ~~724.4~~, 724.4B, 724.6, and 724.11, “*peace*  
6 *officer*” includes a reserve peace officer as defined in section  
7 80D.1A.

8     Sec. 7. Section 724.4, Code 2021, is amended by striking the  
9 section and inserting in lieu thereof the following:

10    **724.4 Unlawful possession of dangerous weapon.**

11    1. A person who goes armed with a dangerous weapon on or  
12 about the person, and who uses the dangerous weapon in the  
13 commission of a crime, commits an aggravated misdemeanor.

14    2. A person determined to be ineligible to receive a  
15 permit to carry weapons under section 724.8, subsections 2  
16 through 6, is prohibited from possessing dangerous weapons.  
17 Unless otherwise provided by law, a person who violates this  
18 subsection commits an aggravated misdemeanor.

19    3. A minor who goes armed with a dangerous weapon concealed  
20 on or about the person commits a serious misdemeanor.

21    4. A minor who carries, transports, or possesses a loaded  
22 firearm of any kind within the limits of a city or knowingly  
23 carries or transports a pistol or revolver in a vehicle commits  
24 a serious misdemeanor.

25    5. A minor who goes armed with a dangerous weapon that  
26 directs an electric current impulse, wave, or beam that  
27 produces a high-voltage pulse designed to immobilize a person,  
28 whether concealed or not, commits a simple misdemeanor.

29    Sec. 8. Section 724.4B, Code 2021, is amended by striking  
30 the section and inserting in lieu thereof the following:

31    **724.4B Carrying firearms on school grounds — penalty —**  
32 **exceptions.**

33    1. A person who goes armed with, carries, or transports a  
34 firearm of any kind, whether concealed or not, on the grounds  
35 of a school commits a class “D” felony. For the purposes of

1 this section, "school" means a public or nonpublic school as  
2 defined in section 280.2.

3 2. Subsection 1 does not apply to the following:

4 a. A person who has been specifically authorized by the  
5 school to go armed with, carry, or transport a firearm on the  
6 school grounds for any lawful purpose.

7 b. A peace officer including a peace officer who has  
8 not been certified and a federal officer when the officer's  
9 employment requires going armed, whether or not the peace  
10 officer or federal officer is acting in the performance of  
11 official duties.

12 c. A member of the armed forces of the United States or  
13 of the national guard or person in the service of the United  
14 States, when the firearm is carried in connection with the  
15 person's duties as such.

16 d. A correctional officer, when the officer's duties require  
17 the officer to carry a firearm, serving under the authority of  
18 the Iowa department of corrections.

19 e. A person who for any lawful purpose carries an unloaded  
20 pistol, revolver, or other firearm inside a closed and fastened  
21 container or securely wrapped package that is too large to be  
22 concealed on the person.

23 f. A person who for any lawful purpose carries or transports  
24 an unloaded pistol, revolver, or other firearm in a vehicle  
25 inside a closed and fastened container or securely wrapped  
26 package that is too large to be concealed on the person or  
27 carries or transports an unloaded pistol, revolver, or other  
28 firearm inside a cargo or luggage compartment where the pistol  
29 or revolver will not be readily accessible to any person riding  
30 in the vehicle.

31 g. A law enforcement officer from another state when the  
32 officer's duties require the officer to carry a firearm and the  
33 officer is in this state for any of the following reasons:

34 (1) The extradition or other lawful removal of a prisoner  
35 from this state.

1 (2) Pursuit of a suspect in compliance with chapter 806.

2 (3) Activities in the capacity of a law enforcement officer  
3 with the knowledge and consent of the chief of police of the  
4 city or the sheriff of the county in which the activities occur  
5 or of the commissioner of public safety.

6 h. A licensee under chapter 80A or an employee of such  
7 a licensee, while the licensee or employee is engaged in  
8 the performance of duties, and if the licensee or employee  
9 possesses a valid professional or nonprofessional permit to  
10 carry weapons issued pursuant to this chapter.

11 Sec. 9. Section 724.5, Code 2021, is amended by striking the  
12 section and inserting in lieu thereof the following:

13 **724.5 Availability of permit not to be construed as**  
14 **prohibition on unlicensed carrying of weapons.**

15 The availability of a professional or nonprofessional permit  
16 to carry weapons under this chapter shall not be construed to  
17 impose a general prohibition on the otherwise lawful unlicensed  
18 carrying or transport, whether openly or concealed, of a  
19 dangerous weapon, including a loaded firearm.

20 Sec. 10. Section 724.6, subsection 1, paragraph a, Code  
21 2021, is amended to read as follows:

22 a. (1) A person may be issued a permit to carry weapons  
23 when the person's employment in a private investigation  
24 business or private security business licensed under chapter  
25 80A, or a person's employment as a peace officer, correctional  
26 officer, security guard, bank messenger or other person  
27 transporting property of a value requiring security, or in  
28 police work, reasonably justifies that person going armed.

29 (2) A person may be issued a permit to carry weapons  
30 if the person is an emergency medical care provider who is  
31 designated and attached to a law enforcement tactical team by  
32 the authorities having jurisdiction. A person issued a permit  
33 to carry weapons under this paragraph shall train with the law  
34 enforcement tactical team the person is designated and attached  
35 to, complete a prescribed firearm safety training course

1 offered pursuant to section 724.9, subsection 1, paragraph  
2 "e", complete any additional training as prescribed by the  
3 authorities having jurisdiction, and not be disqualified under  
4 section 724.8.

5 Sec. 11. Section 724.6, subsection 2, Code 2021, is amended  
6 to read as follows:

7 2. Notwithstanding subsection 1, fire fighters, as defined  
8 in section 411.1, subsection 10, airport fire fighters included  
9 under section 97B.49B, and emergency medical care providers,  
10 ~~as defined in section 147A.1~~ other than emergency medical  
11 care providers specified in subsection 1, paragraph "a",  
12 subparagraph (2), shall not, as a condition of employment,  
13 be required to obtain a permit under this section. However,  
14 the provisions of this subsection shall not apply to a person  
15 designated as an arson investigator by the chief fire officer  
16 of a political subdivision.

17 Sec. 12. Section 724.6, Code 2021, is amended by adding the  
18 following new subsection:

19 NEW SUBSECTION. 3. For purposes of this section, "emergency  
20 medical care provider" means the same as defined in section  
21 147A.1.

### 22 DIVISION III

#### 23 HANDGUN SAFETY TRAINING

24 Sec. 13. Section 724.9, subsection 1, paragraphs a and b,  
25 Code 2021, are amended to read as follows:

26 a. Completion of any national rifle association handgun  
27 safety training course or a handgun safety training course  
28 offered by an instructor certified by an organization approved  
29 by the department of public safety pursuant to section 724.9A.

30 b. Completion of any handgun safety training course  
31 available to the general public offered by a law enforcement  
32 agency, community college, college, private or public  
33 institution or organization, or firearms training school,  
34 utilizing instructors certified by the national rifle  
35 association or an organization approved by the department of

1 public safety pursuant to section 724.9A or another state's  
2 department of public safety, state police department, or  
3 similar certifying body.

4     Sec. 14. NEW SECTION. **724.9A Approval of organizations that**  
5 **may certify handgun safety training instructors.**

6     1. The department of public safety shall adopt rules to  
7 approve organizations that may certify individuals as handgun  
8 safety training instructors eligible to offer a handgun safety  
9 training course under section 724.9, subsection 1, paragraphs  
10 "a" and "b". The rules shall require a handgun safety training  
11 instructor to apply to the organization for recertification at  
12 least once every five years and shall require the organization  
13 to pay a fee to cover costs necessary to maintain a list of  
14 approved organizations and certified instructors.

15     2. The department shall maintain on the department's  
16 internet site the following resources:

17     a. Applications for an organization to receive approval to  
18 certify and recertify handgun safety training instructors.

19     b. A list of organizations approved under this section  
20 that certify handgun safety training instructors that shall  
21 include the national rifle association, and a list of certified  
22 instructors. The department shall use an interface that allows  
23 a user to sort the lists in a manner that provides convenience  
24 to the user, such as but not limited to sorting by geographic  
25 location or online instruction as opposed to in-person,  
26 hands-on instruction.

27     c. General information relating to permits to carry weapons,  
28 firearm safety, and training opportunities currently available  
29 to the public.>

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